

ORDINANCE NO. C-17-33

AN ORDINANCE VACATING THAT PORTION OF THE PLATTED 15-FOOT ALLEY LYING ADJACENT TO LOT 4 AND A PORTION OF LOT 5, BLOCK 66, "CORAL RIDGE GALT ADDITION NO. 1", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 31, PAGE 37 AND ALL OF THE PLATTED 5-FOOT ALLEY ADJACENT TO PARCEL "A", "CORAL RIDGE LZB", ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 183, PAGE 77, ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. LOCATED NORTH OF NORTHEAST 26 STREET, EAST OF NORTH FEDERAL HIGHWAY, WEST OF MIDDLE RIVER DRIVE AND SOUTH OF EAST OAKLAND PARK BOULEVARD, ALL SAID LAND BEING LOCATED IN THE CITY OF FORT LAUDERDALE, BROWARD COUNTY, FLORIDA.

WHEREAS, the applicant, 2980 Investments, LLC, applied for the vacation of a certain right-of-way as described in Section 1 herein; and

WHEREAS, the Planning and Zoning Board, at its meeting of July 19, 2017 (PZ Case No. V17001), did recommend to the City Commission of the City of Fort Lauderdale ("City Commission") the vacation of the below-described alley subject to conditions; and

WHEREAS, the City Clerk notified the public of a public hearing to be held on Tuesday, September 19, 2017, and Tuesday, October 3, 2017, at 6:00 o'clock P.M. in the City Commission Room, City Hall, Fort Lauderdale, Florida for the purpose of hearing any public comment to the vacation; and

WHEREAS, such public hearing was duly held at the time and place designated and due notice of same was given by publication as is required by law; and

WHEREAS, the City Commission has determined that the application for vacation of right-of-way meets the criteria of Section 47-24.6.A.4 of the City of Fort Lauderdale, Florida Unified Land Development Regulations;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That the below-described alley is hereby vacated and shall no longer constitute a public right-of-way:

See Exhibit "A" attached hereto and made a part hereof.

Location: North of Northeast 26th Street, east of North Federal Highway, west of Middle River Drive, and south of East Oakland Park Boulevard.

SECTION 2. That a copy of this Ordinance shall be recorded in the Public Records of Broward County by the City Clerk within 30 days from the date of final passage.

SECTION 3. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 5. Issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.

SECTION 6. This approval is conditioned upon the applicant obtaining all other applicable state or federal permits before commencement of the development.

SECTION 7. That this Ordinance shall be in full force and effect upon the recordation in the public records of Broward County, Florida, of a certificate executed by the City Engineer evidencing that all conditions listed on Exhibit "B" attached hereto have been met. A copy of the recorded certificate must be provided to the City.

PASSED FIRST READING this the 19th day of September, 2017.

PASSED SECOND READING this the 3rd day of October, 2017.

A handwritten signature in black ink, appearing to read "JP Seiler", written over a horizontal line.

Mayor

JOHN P. "JACK" SEILER

ATTEST:

A handwritten signature in black ink, appearing to read "JAM", written over a horizontal line.

City Clerk
JEFFREY A. MODARELLI



SKETCH AND LEGAL DESCRIPTION

BY

PULICE LAND SURVEYORS, INC.

5381 NOB HILL ROAD
SUNRISE, FLORIDA 33351

TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778

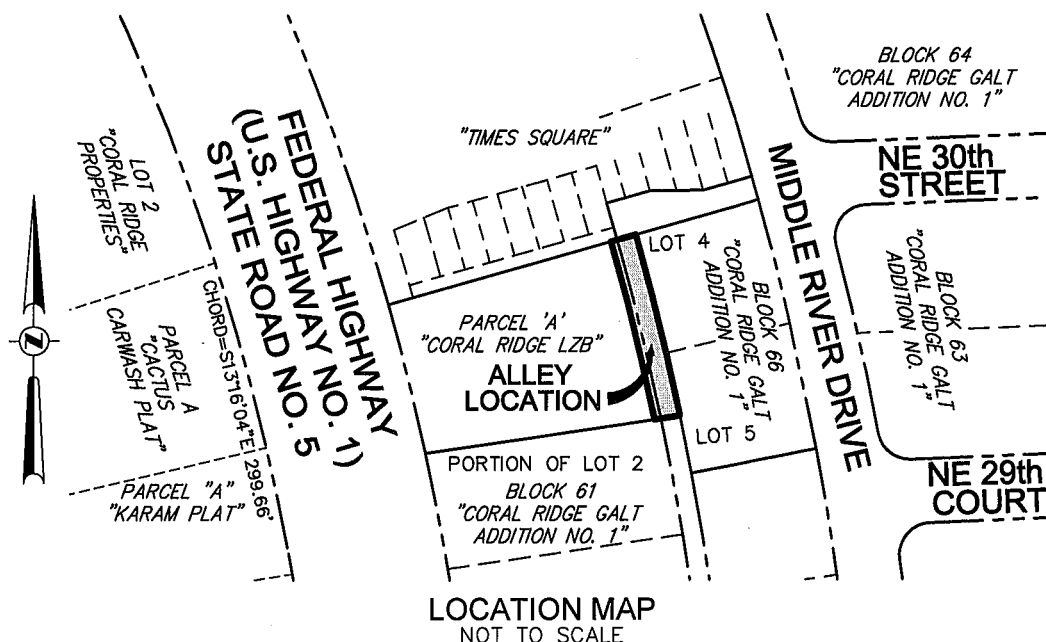
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



LEGAL DESCRIPTION: 20 FOOT WIDE ALLEY VACATION WITH RETAINED UTILITY EASEMENT

THAT PORTION OF THE 15 FOOT WIDE ALLEY LYING ADJACENT TO LOTS 4 AND 5, BLOCK 66, "CORAL RIDGE GALT ADDITION NO. 1", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 31, PAGE 37, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THE 5.00 FOOT WIDE ALLEY AS SHOWN ON "CORAL RIDGE LZB", ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 183, PAGE 77, OF THE PUBLIC RECORDS OF SAID BROWARD COUNTY, FLORIDA; BOUNDED ON THE NORTH BY THE NORTHERLY LINE OF SAID 5.00 FOOT WIDE ALLEY AND ITS EASTERLY PROJECTION AND THE WESTERLY PROJECTION OF THE NORTHERLY LINE OF SAID LOT 4, BLOCK 66, "CORAL RIDGE GALT ADDITION NO. 1"; AND BOUNDED ON THE SOUTH BY THE SOUTHERLY LINE OF SAID 5.00 FOOT WIDE ALLEY AND ITS EASTERLY PROJECTION TO THE INTERSECTION WITH THE WESTERLY LINE OF SAID BLOCK 66, "CORAL RIDGE GALT ADDITION NO. 1"

SAID LANDS SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA AND CONTAINING 2,891 SQUARE FEET (0.0664 ACRES), MORE OR LESS.



NOTES:

- 1) BEARINGS ARE BASED ON THE NORTH LINE OF "CORAL RIDGE LZB", PLAT BOOK 183, PAGE 77, BEING N74°14'44"E.
- 2) THIS IS NOT A SKETCH OF SURVEY AND DOES NOT REPRESENT A FIELD SURVEY.
- 3) THIS SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 4) ALL PLATS SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

FILE: DIVERSIFIED COMPANIES

SCALE: N/A

DRAWN: L.S.

ORDER NO.: 62708C

DATE: 3/10/17; REV. 4/25/17; 5/30/17; 6/9/17

20' WIDE ALLEY VACATION WITH RETAINED UTILITY EASEMENT

FORT LAUDERDALE, BROWARD COUNTY, FLORIDA

FOR: CORAL RIDGE LZB

SHEET 1 OF 2

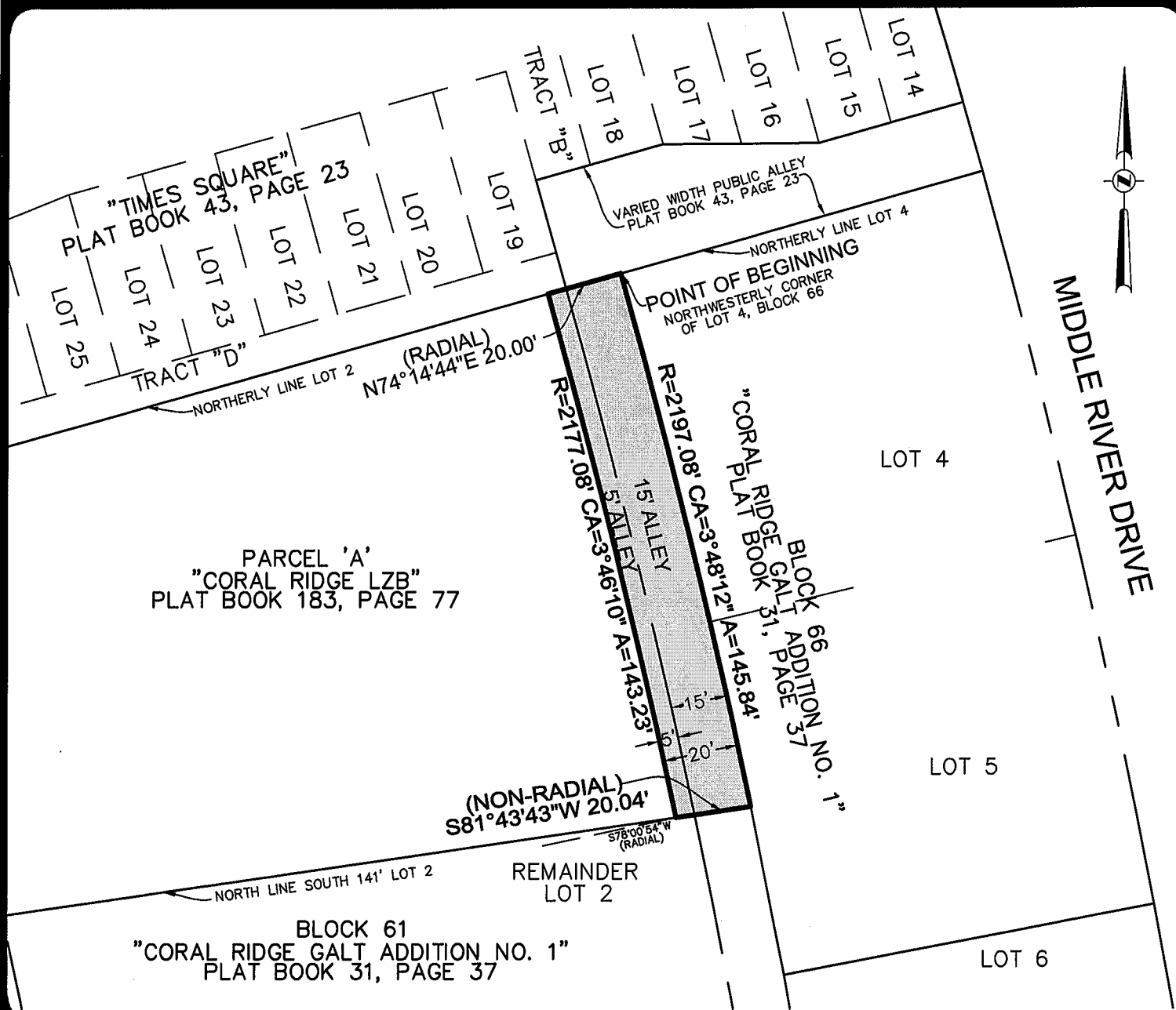
THIS DOCUMENT IS NEITHER FULL NOR
COMPLETE WITHOUT SHEETS 1 AND 2

- ☐ JOHN F. PULICE, PROFESSIONAL SURVEYOR AND MAPPER LS2691
☒ BETH BURNS, PROFESSIONAL SURVEYOR AND MAPPER LS6136
☐ VICTOR R. GILBERT, PROFESSIONAL SURVEYOR AND MAPPER LS6274
STATE OF FLORIDA

Exhibit A



TELEPHONE: (954) 572-1777 • FAX: (954) 572-1778
E-MAIL: surveys@pulicelandsurveyors.com CERTIFICATE OF AUTHORIZATION LB#3870



A ARC LENGTH

EXHIBIT "B"

**CONDITIONS OF APPROVAL
CASE NO. V17001**

1. Any City infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the City's Public Works Department; and
2. Any other utility infrastructure known or unknown and found to be within the vacated area shall be relocated at the expense of the applicant, and the relocated facilities shall be required to be inspected and accepted by the applicable utility agency or service provider; and
3. The vacating ordinance shall be in full force and effect on the date a certificate, executed by the City Engineer, is recorded in the public records of Broward County, Florida. The certificate shall state that all conditions of the vacation listed in the ordinance have been met. A copy of the recorded certificate must be provided to the City.
4. Provide an access easement connecting the alley to Middle River Drive.